

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>ELRICK HARRIS;</b>	)	
	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NUMBER:</b>
	)	
<b>OPTION ONE MORTGAGE</b>	)	<b>2:06-cv-630-ID</b>
<b>CORPORATION; H&amp;R BLOCK</b>	)	
<b>MORTGAGE CORPORATION;</b>	)	
<b>PREMIER MORTGAGE</b>	)	
<b>FUNDING, INC.; and MORGAN</b>	)	
<b>TITLE SERVICE, LLC;</b>	)	
	)	
<b>Defendants.</b>	)	

**REPORT OF THE PARTIES' PLANNING MEETING**

1. Pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule 26.1(d), the parties held a planning meeting on September 20, 2006. The following parties participated through counsel: Robert F. Kirby, Jr. for Plaintiff Elrick Harris; Richard H. Allen for Defendant Premier Mortgage Funding, Inc.; and Stephen A. Walsh for Defendants Option One Mortgage Corporation and H&R Block Mortgage Corporation.

2. Pre-Discovery Disclosures. The parties will exchange by October 15, 2006, the information required under Fed.R.Civ.P. 26(a)(1) and Local Rule 26.1.

3. Discovery Plan. Discovery will be needed on the following subjects: Plaintiff's claims and damages and Defendants' defenses. Plaintiff claims that Defendants violated certain disclosure requirements mandated by federal banking law and that such failures to disclose also constitute certain torts under Alabama law. Defendants contend that their conduct did not violate any federal statutory standards or common law standards of care and that

Plaintiff has no injuries or damages properly attributable to or proximately caused by Defendants. The parties hereto jointly propose to the Court the following discovery plan:

All discovery must be commenced in time to be completed by May 31, 2007.

Each party may propound a maximum of 40 interrogatories and 40 requests for production of documents to any other party. Responses to be due as required by Federal Rule of Civil Procedure 33.

Each party may propound a maximum of 40 requests for admission to any other party. Responses to be due as required by Federal Rule of Civil Procedure 36.

Maximum of 7 depositions by Plaintiff and 7 by each Defendant. Depositions are limited, as required by the Federal Rules of Civil Procedure.

Reports from retained experts under Federal Rule of Civil Procedure 26(a)(2) due not later than:

Plaintiff: March 6, 2007.

Defendants: April 4, 2007.

Supplementation of discovery under Federal Rule of Civil Procedure 26(e) due by May 31, 2007, and at any time thereafter until trial.

4. Conferences with the Court. The parties do not request a conference with the Court prior to entry of a scheduling order; however, the parties request a pretrial conference in July 2007.

5. Additional Deadlines. The parties jointly propose the following additional deadlines:

Plaintiff may join additional parties or otherwise amend his pleadings until November 15, 2006.

Defendants may join additional parties or otherwise amend their pleadings until December 15, 2006.

Potentially dispositive motions may be filed at any time on or before June 30, 2007.

Final witness and exhibit lists under Federal Rule of Civil Procedure 26(a)(3) are due 30 days before the date set by the Court for commencement of trial. Parties have 10 days after service of final lists of witnesses and exhibits to submit objections thereto.

This case should be ready for trial by July 2007, and at this time the parties expect trial to last 3-4 days.

6. Settlement. The parties have discussed the possibility of settlement, and believe that some discovery is necessary prior to submitting a formal evaluation thereof to the Court.

Submitted this 21st day of September, 2006.

/s/ Robert F. Kirby  
One of the Attorneys for Plaintiff  
Elrick Harris

OF COUNSEL:

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/s/ Richard H. Allen  
One of the Attorneys for Defendant  
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/s/ Stephen A. Walsh

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